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GENERAL ASSEMBLY
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THE SITUATION IN CENTRAL AMERICA:
PROCEDURES FOR THE ESTABLISHMENT
OF A FIRM AND LASTING PEACE AND
PROGRESS IN FASHIONING A REGION
OF PEACE, FREEDOM, DEMOCRACY AND
DEVELOPMENT

SECURITY COUNCIL
Forty-ninth year

Letter dated 17 January 1994 from the Secretary-General to the President of the General Assembly and to the President of the Security Council

I have the honour to refer to my latest report on the situation in Central America (A/48/586 of 11 November 1993) in which I informed Member States of the status of the peace negotiations between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG). As stated in that report, I had received separate requests from the Government of Guatemala and URNG to convene a preliminary meeting with the purpose of establishing terms for the continuation of the talks.

In the context of the mandate emanating from Security Council resolution 637 (1989) of 27 July 1989 and General Assembly resolution 44/10 of 23 October 1989, as well as subsequent General Assembly resolutions on this question, particularly Assembly resolution 48/161 of 20 December 1993, and on the basis of consultations with each party, I convened a preliminary meeting under United Nations auspices which was held form 6 to 9 January 1994 in Mexico City.

On 10 January 1994, in the presence of the United Nations observer to the peace process, the Government of Guatemala and URNG signed a "Framework Agreement for the Resumption of the Negotiating Process between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca", a copy of which is attached to this letter. Under the Agreement, some of the features of the previous process are maintained, especially the negotiation agenda adopted in April 1991, but some important changes are introduced. In particular, the parties request me to appoint a representative to serve as Moderator of the bilateral talks and concur that the United Nations should be requested to verify the implementation of all agreements reached between them.

The signing of the Agreement of 10 January 1994 is a significant advance towards an early and fair settlement of the longest civil war in Central America. It is therefore my intention to accept the parties' request that I appoint the Moderator for the bilateral talks. I will shortly communicate to the Security Council the name of the person proposed for the post.

My representatives at the meeting in Mexico City made clear to the parties that their request for United Nations verification of the implementation of agreements concluded between them would in due course require decisions by the relevant intergovernmental bodies of the United Nations. But I should perhaps make clear now that if, as I hope, the forthcoming negotiations succeed in producing an agreed settlement of the conflict in Guatemala, it will be my recommendation that the United Nations should agree to verify implementation of the relevant agreements.

(Signed) Boutros BOUTROS-GHALI

ANNEX

Framework Agreement for the Resumption of the Negotiating Process between the Government of Guatemala and the UNIDAD Revolucionaria Nacional Guatemalteca

The delegations of the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca, having met at Mexico City from 6 to 9 January 1994 under the auspices of the Secretary-General of the United Nations and as guests of the Government of Mexico, have reached the following agreement on the framework for the resumption of the negotiating process aimed at achieving a firm and lasting peace:

I. Agenda for the negotiations

The parties shall negotiate on all the items included in the general agenda set forth in the Mexico Agreement. The parties shall together decide on the scope of their undertakings, all of which shall be subject to verification.

The Government and URNG undertake to be appropriately represented in the negotiations by high-ranking delegates so that political agreements consistent with the constitutional order can be entered into, without restricting their power to conclude agreements on institutional and constitutional reforms.

II. Moderation of the bilateral negotiations

The parties have agreed to request the Secretary-General of the United Nations to appoint a representative to serve as moderator of the bilateral negotiations between the Government and URNG. The parties agree that the moderator may make proposals to facilitate the signing of a firm and lasting peace agreement.

III. Society at large

The two parties recognize the contribution of the sectors which, pursuant to the Oslo Agreement, have participated in the meetings with URNG held at El Escorial, Ottawa, Quito, Metepec and Atlixco. These meetings have given an impetus to the negotiating process in Guatemala. The participation and contributions of these sectors have helped to make possible the start of direct negotiations between the Government and the command of URNG.

The parties agree that Guatemalan society continues to have an essential role to play in the achievement of peace and in the process of reconciliation.

Without prejudice to other machinery and forums, whether temporary or permanent, for promoting national reconciliation, the parties agree to promote the establishment of an Assembly open to the participation of non-governmental sectors of Guatemalan society, provided that their legitimacy, representative character and lawfulness have been recognized. The Assembly shall meet during the negotiating period and shall have the following functions:

(i) To discuss the substantive issues for the bilateral negotiations, i.e. items (ii) to (vii) of the general agenda contained in the Mexico Agreement, with a view to formulating positions on which there is consensus;

(ii) To transmit to the United Nations moderator, the Government of Guatemala and URNG the recommendations or guidelines resulting from its deliberations. These recommendations and guidelines shall not be binding and shall be aimed at fostering understanding between the parties. The Assembly shall discuss the substantive issues on the basis of a timetable that is synchronized with the dates set for the bilateral negotiations and shall not delay the conduct of the bilateral negotiating process;

(iii) To consider bilateral agreements concluded by the parties on the substantive issues and endorse such agreements so as to give them the force of national commitments, thereby facilitating their implementation. However, if for any reason a bilateral agreement is not endorsed, the agreement shall continue to be valid.

The parties agree to request the Episcopal Conference of Guatemala to appoint the President of the Assembly, considering for this office the conciliator, Monsignor Quezada Toruño. The President of the Assembly shall be assisted by an organizing committee. The Committee shall be composed of representatives of each of the sectors which participated in the Oslo process, together with representatives of the Maya people.

The President of the Assembly shall have the following functions:

(i) To convene the Assembly;

(ii) To organize its deliberations with the assistance of the Organizing Committee;

(iii) To promote the formulation of consensus recommendations regarding the substantive issues;

(iv) To transmit to the United Nations moderator and to the parties the recommendations and guidelines that result from the Assembly's deliberations and to participate in special meetings of the bilateral bureau convened to this end by mutual agreement between the parties;

(v) To receive from the United Nations moderator the bilateral agreements on substantive issues signed by the parties, put them before the Assembly and promote their endorsement by it.

IV. Role of the countries constituting the group of friends

The parties request the Governments of Colombia, Mexico, Norway, Spain, the United States of America and Venezuela to form a group of friends of the Guatemalan peace process. The friends will be kept duly informed of the progress and content of the negotiations between the parties, and will have the following functions:

(i) To support, through their actions, the representative of the Secretary-General of the United Nations in order to facilitate the negotiating process;

(ii) To give greater certainty and firmness to the commitments entered into by the parties in their capacity as solemn witnesses to the agreements arrived at in the course of the negotiating process, when the parties so request.

V. Procedures

(i) Disclosure: the parties agree that the bilateral negotiations will be conducted in the strictest secrecy in order to ensure that they are carried on in an atmosphere of trust and seriousness. They agree that the only public information on their conduct will be that made available by the representative of the Secretary-General of the United Nations. For purposes of coordination with the work of the Assembly, the moderator and the President of the Assembly will draw up appropriate rules to permit exchanges of information that do not impair the secrecy necessary for the work of the bilateral bureau.

(ii) Time-frame: the parties express their commitment to arrive at a firm and lasting peace agreement within the shortest possible time during 1994. In this context, they undertake to demonstrate the necessary flexibility for successful negotiation of the general agenda.

(iii) In the context of their efforts to facilitate the negotiating process, the parties have recognized the desirability of resorting to all measures that will be conducive to rapprochements and agreements between them, and declare themselves ready to respond to the requests made by the moderator in this respect.

VI. Verification mechanisms

Verification is a vital element in ensuring compliance with and respect for the agreements. Consequently, the parties reiterate that all the agreements must be accompanied by appropriate national and international verification mechanisms. The experience and authority of the United Nations confer a high degree of reliability on international verification by the Organization. The two parties agree to request the United Nations to verify all the agreements, in both their substantive and their operational aspects.

Mexico, D.F., 10 January 1994

FOR THE REPUBLIC OF GUATEMALA

(Signed)	Héctor ROSADA GRANADOS	(Signed)	General Marco Antonio GONZALEZ T.
(Signed)	Mario PERMUTH LITSWA	(Signed)	General Victor Manuel ARGUETA V.
(Signed)	Max KESTLER FARNES	(Signed)	Colonel Victor Manuel VENTURA A.
(Signed)	Antonio ARENALES FORNO	(Signed)	Ernesto VITERI ECHEVERRIA

FOR THE UNIDAD REVOLUCIONARIA NACIONAL GUATEMALTECA

General Command

(Signed) Commander Gaspar ILOM

(Signed) Commander Pablo MONSANTO

(Signed) Commander Rolando MORAN

Political and Diplomatic Commission

(Signed) Luis Becker GUZMAN

(Signed) Miguel Angel SANDOVAL

(Signed) Mario Vinicio CASTAÑEDA
Adviser

FOR THE UNITED NATIONS

(Signed) Jean ARNAULT